Notice of Allowability	Application No.	Applicant(s)	Con
	10/621,218	JOHNSON ET ÅL	
	Examiner	Art Unit	*
	Craig A. Thompson	2813	
The MAILING DATE of this communication ap All claims being allowable, PROSECUTION ON THE MERITS herewith (or previously mailed), a Notice of Allowance (PTOL-8 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT of the Office or upon petition by the applicant. See 37 CFR 1.3 1. This communication is responsive to communication of the communicat	IS (OR REMAINS) CLOSED in 5) or other appropriate commun RIGHTS. This application is sult and MPEP 1308.	the correspondence address this application. If not included	-
2. ⊠ The allowed claim(s) is/are <u>8 and 9</u> .		2 4	
3. The drawings filed on 16 July 2003 are accepted by the	Examiner.		· .
4. Acknowledgment is made of a claim for foreign priority a) All b) Some* c) None of the: 1. Certified copies of the priority documents hat 2. Certified copies of the priority documents hat 3. Copies of the certified copies of the priority documents hat all the priority of the pri	ve been received. ve been received in Application	No	n from the
* Certified copies not received:	•		
Applicant has THREE MONTHS FROM THE "MAILING DATE noted below. Failure to timely comply will result in ABANDON THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be sublined in the subline of the s	MENT of this application. mitted. Note the attached EXAN ves reason(s) why the oath or d	AINED'S AMENDMENT OF NOT	
6. CORRECTED DRAWINGS (as "replacement sheets") mu	ist be submitted.		
(a) ☐ including changes required by the Notice of Draftspe	rson's Patent Drawing Review (PTO-948) attached	
1) hereto or 2) to Paper No./Mail Date			
(b) ☐ including changes required by the attached Examined Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR each sheet. Replacement sheet(s) should be labeled as such in	1.84(c)) should be written on the the header according to 37 CFR	drawings in the front (not the bad	ck) of
7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT	osit of BIOLOGICAL MATER	PIAL must be submitted New	e the
	· (C)		
Attachment(s)			
1. ☑ Notice of References Cited (PTO-892)	5 D Notice of Infor	mal Patent Application (PTO-1	: 2)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Sum)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/Paper No./Mail Date 7/16/03	Paper No./Ma 08), 7. ☐ Examiner's An	ail Date nendment/Comment	
4. Examiner's Comment Regarding Requirement for Deposit		atement of Reasons for Allowar	nce
of Biological Material	9. Other		
		Craig A. Thompson Primary Examiner Art Unit: 2813	

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DETAILED ACTION

The examiner confirmed on 28 May 2004 in a telephone interview with Mr. Michael Stallman that the preliminary amendment filed with this application cancelled claims 1-7 and that claims 8 and 9 are pending.

Allowable Subject Matter

Claims 8 and 9 are allowed.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: prior art of record does not describe or suggest applicants' invention set forth in claim 8, a test structure for optical monitoring of erosion on a wafer comprising an upper layer with an array formed by an alternating pattern of metal and dielectric material and a lowe layer defined by a flat reflective material to reduce the number of measurement variables associated with the optical monitoring of the test structure. Similarly, prior art of record does not describe or suggest the invention of claim 9, a method for monitoring erosion comprising steps of: (a) forming a test structure in the scribe lines between dies of the wafer with the test structure including at least an upper layer having an array formed by an alternating pattern of metal and dielectric material and a lower layer defined by a flat reflecting material, (b) directing a probe beam of radiation to reflect off the test structure, and (c) monitoring the probe beam, in the context of the recited process.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Cited Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ravid et al. (U.S. Patent No. 6,654,108, filed 20 February 2001) teaches a test structure for metal CMP process control (abstract and title). The structure includes at least two structures aligned along a vertical axis (abstract and figure 3)

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Conclusion

Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Craig A. Thompson whose telephone number is

(571)272-1699. The examiner can normally be reached on Monday-Friday 8:00 am -

4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Carl Whitehead, Jr. can be reached on (571)272-1702. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Craig A. Thompson Primary Examiner

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28 May 2004